

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RISEANDSHINE CORPORATION,	:	
Plaintiff,	:	21 Civ. 6324 (LGS)
	:	
-against-	:	<u>ORDER</u>
	:	
PEPSICO INC.,	:	
Defendant.	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on September 21, 2021, the Court granted Defendant’s motion for an evidentiary hearing and suggested September 30, 2021 as a hearing date. (Dkt. No. 121.)

WHEREAS, on September 27, 2021, the parties filed a joint letter stating that both parties and all witnesses listed therein are available on October 8, 2021. Defendant also objected to “any attempt by Plaintiff to call Allison Schmidt, Steve Salzinger, or Leon Kaplan.” (Dkt. No. 122.) It is hereby

**ORDERED** that the evidentiary hearing is scheduled for **October 8, 2021 at 9:00 a.m.** Per the Court’s September 21, 2021 Order, the hearing will be by video and the parties are responsible for arranging a suitable platform. The Court will allot no more than two hours per side, inclusive of any cross-examination. It is further

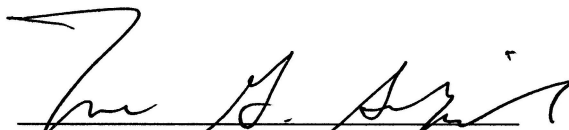
**ORDERED** that Defendant’s objection to Plaintiff’s proposed witnesses is **OVERRULED**. It is further

**ORDERED** that, by **October 5, 2021**, the parties shall make any logistical arrangements with the Courtroom Deputy, Mr. James Street, at 212-805-4553.

**ORDERED** that, by **October 6, 2021**, the parties shall provide the Court with any link(s) or other access codes for the video platform. Members of the public may access the hearing on the

following conference line: 888-363-4749, access code: 5583333.

Dated: September 28, 2021  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**